

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

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|--------------------------|---|-----------------------|
| _____ |) | |
| UNITED STATES OF AMERICA |) | |
| |) | |
| V. |) | CASE NO. 04-10307-WGY |
| |) | |
| STEPHEN DEROSA |) | |
| _____ |) | |

ASSENTED TO MOTION OF THE ACCUSED
TO CONTINUE DETENTION HEARING

Now comes Stephen DeRosa, the accused in the above-entitled criminal matter and pursuant to Fed. R. Crim. P. Rule 12 and LR 7.1, respectfully moves this Honorable Court to continue the Detention Hearing from August 11, 2005 to the afternoon of August 12, 2005 at a time convenient to this Court..

As grounds for this Motion, the accused states as follows:

1. The requested continuance is needed due to the schedule of Mr. DeRosa's appointed counsel, Attorney Eugene Patrick McCann.
2. Immediately following the status conference on August 3, 2005, Attorney McCann was asked by his largest and oldest client to attend various meetings at its offices in Brooklyn, New York all day on August 11, 2005.
3. Attorney McCann contacted AUSA Paul R. Moore regarding this scheduling conflict, and AUSA Moore agreed to continue the Detention Hearing until the afternoon of August 12, 2005.
4. If the Court grants the requested continuance, Mr. DeRosa will waive his rights to a speedy trial under 18 U.S.C. 3161 for the period of August 11, 2005 through August 12, 2005.

5. The requested continuance is for good cause, in the interests of justice and will not unduly prejudice Mr. DeRosa or the Government.

Respectfully submitted for,
Stephen DeRosa, by his Attorney,

/s/ Eugene Patrick McCann

Eugene Patrick McCann, BBO #327400
Manzi and McCann
59 Jackson Street
Lawrence, Massachusetts 01840
Tel. (978) 686-5664

DATED: August 4, 2005

ASSENTED TO:
UNITED STATES OF AMERICA

/s/ Paul R. Moore

By:

Paul R. Moore
Assistant United States Attorney

CERTIFICATE OF COMPLIANCE WITH LOCAL RULE 7.1(A)(2)

I hereby certify that on this date my office conferred with AUSA Paul R. Moore, and he indicated that he would assent to this Motion.

/s/ Eugene Patrick McCann

Eugene Patrick McCann, BBO #327400
Manzi and McCann
59 Jackson Street
Lawrence, Massachusetts 01840
Tel. (978) 686-5664

CERTIFICATE OF SERVICE

I, Eugene Patrick McCann, counsel for Stephen DeRosa, certify under the pains and penalties of perjury, that I have on this 4th day of August, 2005, served a copy of the foregoing to be delivered by electronic filing to:

AUSA Paul R. Moore
Office of the United States Attorney
U.S. Courthouse, Suite 9200
One Courthouse Way
Boston, Massachusetts 02210

/s/ Eugene Patrick McCann

Eugene Patrick McCann